

MONDAY, MARCH 30, 1981

TWENTY-SEVENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Brother Doug Lowrance, Walnut Street Church of Christ, Dickson, Tennessee.

Representative Work led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 97

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

The Speaker announced that Representative Kelley was excused because of officiating the NCAA finals.

APPOINTMENT OF HONORARY PAGE

The Speaker announced that he had appointed Jason Lee Bragg, Representative Bragg's new grandson, as Honorary Page of the Day.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 31, 75, 130, 200, 321, 558, 746, 790 and 977; and House Joint Resolution No. 76, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 76, 184, 203, 338, 466, 794, 796, 875, 1029, 1039 and 1066, with his approval.

JULIA GIBBONS,
Counsel to the Governor.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, March 30, 1981: House Bills Nos. 624, 669, 204, 242, 331; House Resolutions Nos. 16, 15; House Bills Nos. 418, 555, 1125, 1228, 1232, 1235, 1236, 1238, 1239, 1241; Senate Joint Resolutions Nos. 67, 68, 69, 70, 71, 74; House Joint Resolutions Nos. 126, 131, 132, 133, 134, 135, 136, 138, 139, 140, 141, 142 and 143.

GILL, *Chairman.*

Mr. Burnett moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 152 out of order, which motion prevailed.

House Joint Resolution No. 152—Relative to wishing President Reagan a complete and swift recovery—By Burnett, McKinney, Henry (Roane), Stafford, Henry (Blount), Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton, Mr. Speaker McWherter

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Burnett, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

CALENDAR

House Bill No. 224—To establish minimum age requirements, city legislative body members.

Mr. Hudson moved that House Bill No. 224 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

Representative voting no was: Pickering—1.

A motion to reconsider was tabled.

Ms. DeBerry moved that House Bill No. 488 be placed on the Calendar for Monday, April 13, 1981, which motion prevailed.

House Bill No. 591—To amend Section 67-3012, Code.

On motion, House Bill No. 591 was made to conform with Senate Bill No. 211.

On motion, Senate Bill No. 211, on same subject, was substituted for House Bill No. 591.

Mr. Wood moved that Senate Bill No. 211 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

A motion to reconsider was tabled.

House Bill No. 580—To allow transfer surplus, personal property without consideration.

On motion, House Bill No. 580 was made to conform with Senate Bill No. 206.

On motion, Senate Bill No. 206, on same subject, was substituted for House Bill No. 580.

Mr. Scruggs moved that Senate Bill No. 206 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 206 by deleting in its entirety the language of Sections 1 and 2 and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 12-2-403, is amended by adding a new subsection (e) as follows:

- (e) The commissioner of general services, with the approval of the governor and the board of standards, may approve the transfer of surplus personal property to local government, with or without financial consideration, provided that such property was initially acquired from the federal government for civil defense purposes and provided that the authorizing officials named in this subsection first determine that such transfer of personal property ownership is in the interest of the state.

SECTION 2. This Act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 206, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

House Bill No. 71—To make certain provisions, awards of public contracts.

Mr. DePriest moved that House Bill No. 71 be passed on third and final consideration.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 71 by adding the following new section to the end of the act:

Section—. This act shall take effect on July 1, 1981, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. McKinney moved the previous question, which motion failed by the following vote:

Ayes	61
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Noes	28
Present and not voting	3

Representatives voting aye were: Akard, Bell (Wilson), Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Gaia, Gill, Henry (Blount), Hillis, Hurley, Jared, Johnson, King (Shelby), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Murphy (Davidson), Murray, Naifeh, Phillips, Pickering, Pruitt, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Shockley, Spence, Stallings, Starnes, Tanner, Turner, Wheeler, Whitson, Withers, Wix, Wolfe, Work and Yelton—61.

Representatives voting no were: Baker, Bell (Knox), Bewley, Chiles, Clark (Sumner), Duer, Ford, Frensley, Harrill, Henry (Roane), Huskey, Kent, King (Washington), McNally, Martin, Montgomery, Moore, Owen, Rhinehart, Robertson, Scruggs, Severance, Smith, Stafford, Sterling, Ussery, Wallace and Wood—28.

Representatives present and not voting were: Hudson, Kernell and Mr. Speaker McWherter—3.

Thereupon, House Bill No. 71, as amended, passed its third and final consideration by the following vote:

Ayes	71
Noes	25

Representatives voting aye were: Akard, Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Gaia, Gill, Henry (Blount), Hillis, Hudson, Hurley, Jared, Johnson, Kent, Kernell, King (Shelby), Lashlee, Love, Lowe, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Shirley, Small, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Withers, Wix, Work, Yelton and Mr. Speaker McWherter—71.

Representatives voting no were: Baker, Bell (Knox), Carter, Chiles, Copeland, Duer, Frensley, Harrill, Henry (Roane), Huskey, King (Washington), McAfee, McNally, Montgomery, Moore, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Ussery, Whitson, Wolfe and Wood—25.

A motion to reconsider was tabled.

EXPLANATION OF VOTE

I support House Bill No. 71 as a measure to help facilitate criminal prosecution across Tenn. Bidrigging and price fixing have taken a great toll from the Tenn. Taxpayers. I hope this measure will help reduce crime in this state. I would rather see an elected Solicitor General. However in absence of this I feel HB 71 is the best way to go at this time.

William S. Owen

House Bill No. 1131—To reorganize the Department of Transportation.

Mr. Henry (Roane) moved that House Bill No. 1131 be passed on third and final consideration.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1131 by redesignating Section 27 to be Section 28 and adding a new Section 27, as follows:

SECTION 27. Any reorganization of the Tennessee department of transportation necessitated by the provisions of this act or carried out as a result of the passage of this act shall be implemented and completed prior to July 1, 1981. The commissioner of the department of transportation shall report to the House and Senate Transportation committees not later than July 1, 1981 on his completion of the reorganization of the department.

On motion, the amendment was adopted.

Mr. McKinney moved the previous question, which motion prevailed.

Thereupon, House Bill No. 1131, as amended, passed its third and final consideration by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—97.

A motion to reconsider was tabled.

House Bill No. 187—To amend Title 39 Chapter 11, Code.

On motion, House Bill No. 187 was made to conform with Senate Bill No. 279.

On motion, Senate Bill No. 279, on same subject, was substituted for House Bill No. 187.

Mr. Bivens moved that Senate Bill No. 279 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson,

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Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—93.

Representative voting no was: Robinson (Washington)—1.

A motion to reconsider was tabled.

House Bill No. 835—To amend Surface Mining Law.

Mr. Robertson moved that House Bill No. 835 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

Mr. McNally moved that House Bill No. 190 be placed on the Calendar for Monday, April 6, 1981, which motion prevailed.

House Bill No. 601—To prohibit transport, certain materials.

Mr. Baker moved that House Bill No. 601 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 601 by adding the following section after section 1 and renumbering subsequent sections accordingly:

Section—. Tennessee Code Annotated, Section 39-4544, is amended in the second paragraph by adding between the words "The owner" and the words "of any motor vehicle" the language

" , driver or supervisor of the driver".

On motion, the amendment was adopted.

Mr. Robinson (Davidson) moved to amend as follows:

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AMENDMENT NO. 2

Amend House Bill No. 601 by adding at the end of the amendatory language of Section 1, a new sentence as follows:

The provisions of this act shall be construed to be complied with if the material on the motor vehicle is secured in such a way as to reasonably ensure that it will not fall or be blown off the vehicle.

On motion, the amendment was adopted.

Mr. Baker moved that House Bill No. 601 be placed on the Calendar for Thursday, April 2, 1981, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 1202

Senate Bill No. 1202—To amend Title 51, Chapter 4, Code.

Mr. DePriest moved that Senate Bill No. 1202 be passed on third and final consideration.

On motion of Mr. Wallace, Amendment No. 3 was withdrawn.

Mr. Wallace moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 1202 by deleting Section II which reads as follows:

“Section II. Tennessee Code Annotated, Section 51-428, is amended by deleting the period at the end of the first sentence and substituting in lieu thereof a comma and the following: ‘nor shall any person take, or attempt to take deer when said deer is being chased by dogs.’ ”

and by substituting in lieu thereof the following:

Section II. Tennessee Code Annotated, Section 51-428, is amended by deleting the first sentence and by substituting in lieu thereof the following:

No person shall knowingly hunt deer being chased by dogs nor shall any person knowingly and intentionally permit his dogs to hunt or chase deer.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1202, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Sever-

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ance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—95.

A motion to reconsider was tabled.

CONSENT CALENDAR

House Bill No. 624—To change name, civil defense agency.

House Bill No. 669—To make provisions, meetings of the Judicial Council.

House Bill No. 204—To provide continued funding, property reappraisals.

On motion, House Bill No. 204 was made to conform with Senate Bill No. 447.

On motion, Senate Bill No. 447, on same subject, was substituted for House Bill No. 204.

House Bill No. 242—To make certain provisions, development authority bonds.

On motion, House Bill No. 242 was made to conform with Senate Bill No. 378.

On motion, Senate Bill No. 378, on same subject, was substituted for House Bill No. 242.

House Bill No. 331—To make certain provisions, nursing homes.

On motion, House Bill No. 331 was made to conform with Senate Bill No. 473.

On motion, Senate Bill No. 473, on same subject, was substituted for House Bill No. 331.

House Resolution No. 16—Relative to confirming appointment, James L. Fri, Jr.

House Resolution No. 15—Relative to appointment, Glenn Rodgers, Energy Authority.

House Bill No. 418—To change time of board meeting, Pikeville.

House Bill No. 555—To amend certain terms of office, Linden.

House Bill No. 1125—To establish prosecution team, Assistant District Attorneys General.

On motion, House Bill No. 1125 was made to conform with Senate Bill No. 1241.

On motion, Senate Bill No. 1241, on same subject, was substituted for House Bill No. 1125.

House Bill No. 1228—To provide for election, mayor and aldermen, Jellico.

House Bill No. 1232—To make certain provisions, City Judge, Tullahoma.

House Bill No. 1235—To compensate education board members, Polk County.

House Bill No. 1236—To regulate purchasing, Monroe County.

House Bill No. 1238—To provide for boundaries, hospital district, Franklin County.

House Bill No. 1239—To regulate powers, board of education, Humphreys County.

House Bill No. 1241—To make certain provisions, Board of Education, Marion County.

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Senate Joint Resolution No. 67—Relative to memory, Louis J. Van Mal.

Senate Joint Resolution No. 68—Relative to congratulating George Brown, Jr.

Senate Joint Resolution No. 69—Relative to memory Jeffrey Walter Thompson.

Senate Joint Resolution No. 70—Relative to commending James Michael Killian.

Senate Joint Resolution No. 71—Relative to sympathy, Dr. Lake R. Neel.

Senate Joint Resolution No. 74—Relative to honoring Great Bethel African Methodist Episcopal Church.

House Joint Resolution No. 126—Relative to memory, Dr. Walter M. Mitchell.

House Joint Resolution No. 131—Relative to honoring McKenzie School Board.

House Joint Resolution No. 132—Relative to declaring “Walk for Mankind Day”.

House Joint Resolution No. 133—Relative to honoring Ed and Bernice Shalett.

House Joint Resolution No. 134—Relative to memory, Dr. William Patton.

House Joint Resolution No. 135—Relative to congratulating Mt. Juliet High School girls basketball team.

House Joint Resolution No. 136—Relative to honoring Ross Spears.

House Joint Resolution No. 138—Relative to honoring Dan Ivins.

House Joint Resolution No. 139—Relative to honoring Memphis Central High School boys basketball team.

House Joint Resolution No. 140—Relative to honoring Memphis Central High School boys basketball team.

House Joint Resolution No. 141—Relative to honoring Booker T. Washington girls basketball team.

House Joint Resolution No. 142—Relative to memory, Dr. Jack E. Wells.

House Joint Resolution No. 143—Relative to memory, Hollin E. Williams.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Blount), Henry (Roane), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Nai-feh, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson

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(Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—94.

A motion to reconsider was tabled.

Mr. Ford moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 153 out of order, which motion prevailed.

House Joint Resolution No. 153—Relative to designating “Ramp Festival Day”—By Ford and Bewley.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Ford, the resolution was adopted.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 44—Relative to amending Article II, Section 28, Tennessee Constitution.

The Speaker referred Senate Joint Resolution No. 44 to the Committee on Finance, Ways and Means.

Senate Joint Resolution No. 50—Relative to urging Congress, continue support, synthetic fuels industry.

The Speaker referred Senate Joint Resolution No. 50 to the Committee on Conservation and Environment.

Senate Joint Resolution No. 73—Relative to sympathy, Mr. Harry Fletcher Miller.

Under the rules, Senate Joint Resolution No. 73 was referred to the Committee on Calendar and Rules.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 92—Relative to best wishes, President Ronald Reagan; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Hudson moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 92 out of order, which motion prevailed.

Senate Joint Resolution No. 92—Relative to best wishes, President Ronald Reagan.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hudson, the resolution was concurred in.

A motion to reconsider was tabled.

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Mr. Moore moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 72 out of order, which motion prevailed.

Senate Joint Resolution No. 72—Relative to declaring “Carroll Wylie Day”.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Moore, the resolution was concurred in.

A motion to reconsider was tabled.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frenslley, Gaia, Gill, Harrill, Henry (Blount), Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Martin, Miller, Montgomery, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—96.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 144—Relative to honoring Oak Ridge High School Cross Country Teams—By McNally.

Under the rules, House Joint Resolution No. 144 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 145—Relative to honoring Carver High School boys basketball team—By Jones, DeBerry, Withers, Kent, Moore, Sterling, Kernell, Turner, Small, Brewer, Byrd, Gaia and King (Shelby).

Under the rules, House Joint Resolution No. 145 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 146—Relative to honoring Unicoi County Elementary School boys basketball team—By Whitson.

Under the rules, House Joint Resolution No. 146 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 147—Relative to honoring Unicoi County Elementary School girls basketball team—By Whitson.

Under the rules, House Joint Resolution No. 147 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 148—Relative to declaring Police Memorial Day and Week—By Kent, Miller, Clark (Davidson), McNally and Hudson.

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Under the rules, House Joint Resolution No. 148 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 149—Relative to honoring James A. McBee—By Owen, Miller, Smith, Bell (Knox), Severance and Scruggs.

Under the rules, House Joint Resolution No. 149 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 150—Relative to honoring William C. Talent—By Owen, Smith, Scruggs, Bell (Knox) and Severance.

Under the rules, House Joint Resolution No. 150 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 151—Relative to honoring Bill Deatheradge—By Owen, Miller, Smith, Bell (Knox), Severance and Scruggs.

Under the rules, House Joint Resolution No. 151 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1254—To regulate Milan Special School District—By Davis (Gibson).

Passed first consideration.

House Bill No. 1255—To regulate sessions court, Loudon County—By Stafford and Duer.

Passed first consideration.

House Bill No. 1256—To amend Section 51-425, Code—By Johnson and Murray.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 272—To regulate filling vacancies, General Assembly.

Passed first consideration.

Senate Bill No. 299—To amend Section 2-10-102, Code.

Passed first consideration.

Senate Bill No. 301—To increase ceratain fees, Uniform Commercial Code.

Passed first consideration.

Senate Bill No. 331—To regulate certain fee, general contractor license.

Passed first consideration.

Senate Bill No. 500—To amend Title 56, Chapter 3, Code.

Passed first consideration.

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Senate Bill No. 523—To amend Section 49-2914, Code.

Passed first consideration.

Senate Bill No. 943—To regulate funds, certain radio and television stations.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1249—To impose tax certain privileges, McNairy County.

Passed second consideration and held without reference.

House Bill No. 1250—To provide for litigation tax, Cheatham County.

Passed second consideration and held without reference.

House Bill No. 1251—To amend Section 12-8-101, Code.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 1252—To authorize Coffee County to levy privilege tax.

Passed second consideration and held without reference.

House Bill No. 1253—To amend Charter, Jackson.

Passed second consideration and held without reference.

REPORT OF STANDING COMMITTEE

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 53 (with amendment), 492, 679, 792 (with amendment), 832 (with amendment), 962, 1028 (with amendment), 1036 (with amendment), 1078 (with amendment), 1104, 1113 (with amendment) and 1132 (with amendment) and further recommend that pursuant to House Rule No. 70, House Bills Nos. 492, 962 and 1113 (with amendment) be referred to the Committee on Finance, Ways and Means.

MILLER, Chairman.

Under the rules, House Bills Nos. 53, 679, 792, 793, 811, 832, 1028, 1036, 1078, 1104 and 1132 were transmitted to the Committee on Calendar and Rules.

Pursuant to House Rule No. 70, the Speaker referred House Bills Nos. 492, 962 and 1113 to the Committee on Finance, Ways and Means.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, April 1, 1981: House Bill Nos. 953, 734, 613, 420, 524, 767, 772, 37, 38, 295, 857, 249, 939, 629, 825, 353, 70, 891, 582 and 987.

GILL, Chairman.

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ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 224; and House Joint Resolution No. 152; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

152—Relative to prayers, complete and swift recovery, President Ronald Reagan; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

87—Relative to certain property, Obion and Weakley counties; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

4—To amend Section 2-10-105, Code;

99—To amend Section 5-5-102, Code;

177—To provide for review, Public Employee Retirement Plans;

369—To amend Section 8-21-901, Code; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 57, 74, 149, 159, 165, 366, 376, 426 and 740; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

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SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 57, 74, 149, 159, 165, 366, 376, 426 and 740.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

352—To amend Title 37, Chapter 10, Code; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 893—Gill

House Bill No. 1078—Gill

House Bill No. 24—Owen

House Joint Resolution No. 142—King (Shelby)

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

382—To enact Collection Service Act; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

538—To amend Title 4, Chapter 5, Part 1, Code;

549—To make certain provisions, taxes, hospital authorities;

1000—To regulate Tennessee Energy Authority; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 71, 418, 555, 624, 669, 835, 1131, 1228, 1232, 1235, 1236, 1238, 1239 and 1241; and House Joint Resolutions Nos. 126, 131, 132, 133, 134, 135, 136, 138, 139, 140, 141, 142, 143 and 153; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Burnett the House adjourned until 1:30 p.m. Wednesday, April 1, 1981.